

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF MAINE**

<b>MARCIA J. GORHAM, <i>as personal</i></b>	)	
<b><i>representative of the Estate of</i></b>	)	
<b><i>Martin J. Gorham, individually and</i></b>	)	
<b><i>on behalf of C.L.G., dependent of</i></b>	)	
<b><i>Martin J. Gorham,</i></b>	)	
	)	
<b>PLAINTIFF</b>	)	<b>CIVIL No. 2:15-cv-171-DBH</b>
	)	
<b>v.</b>	)	
	)	
<b>F/V LYDIA &amp; MAYA, INC., <i>in</i></b>	)	
<b><i>persona and in rem,</i></b>	)	
	)	
<b>DEFENDANT</b>	)	

**REPORT OF PRE-FILING CONFERENCE UNDER LOCAL RULE 56(h)**

A Local Rule 56 pre-filing conference was held on February 22, 2016.

The plaintiff's Complaint asserts a total of four counts alleging that the defendant is liable for damages arising from the death of her spouse Martin J. Gorham, who was lost at sea in December 2013. The third count of the complaint was dismissed by agreement of the parties in July 2015. The remaining counts state claims pursuant to the Jones Act, 46 U.S.C.A. §§ 30101-30106 (2007 & Supp. 2015); general maritime law and unseaworthiness; and personal injury survival actions.

At the conference, the parties agreed that there will be no need for briefing on the components of damages; both parties agreed that the scope of damages is limited to the loss of support, and pain and suffering of the decedent before death. Further, the defendant agreed that it is not entitled to "full exoneration"

pursuant to the statutory limitation of liability, see 46 U.S.C.A. § 30505 (2007 & Supp. 2015). It also appeared that many of the facts can be stipulated concerning the rigging of the vessel and the events of the day in question.

I approved the following schedule agreed to by the parties:

By April 15, 2016, the parties shall file all stipulated facts;

By May 2, 2016, the defendant shall file its motion for summary judgment with necessary supporting materials;

By June 16, 2016, the plaintiff shall respond to the motion for summary judgment with necessary supporting materials;

By June 30, 2016, the defendant shall file a reply.

**SO ORDERED.**

**DATED THIS 22ND DAY OF FEBRUARY, 2016**

/s/D. Brock Hornby  
**D. BROCK HORNBY**  
**UNITED STATES DISTRICT JUDGE**